Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554
Re: RM-10425 . Lawson Part 11 request

The Following are comments opposing the changes to the EAS Part 11 rules requested in RM-10425.

The radio station that I manage is an end user of EAS systems for its public radio operation. We are an active user and proponent of EAS, and regularly participate in all facets of EAS operation, including the relaying of NWS warnings and alerts that occur for our area. Sadly, we utilize the EAS capabilities of receiving NOAA directly, as our LP-1's do not relay weather warnings routinely, unless they effect the immediate metro area. We are located the immediate metro area. Our listeners depend upon us for these warnings.

My chief concern is that this system, as it applies to LPFM stations, will severely limit the usefulness of the EAS system, which in many state plans, requires NOAA as a source. The pass thru only approach passes through only one station. If that station is off the air, or fails, the redundancy that was part of the EAS chain is compromised or eliminated, and this could mean potential harm. In most EAS state plans, no fewer than 3 sources are required. The proposed system punches a large whole in the usefulness of EAS for radio.

The proposal also has not allowed for enough time to elapse for the market place to develop other options. Throughout the several year history of EAS, the FCC has resisted the calls to reduce EAS functionally and in general , has strengthened its resolve with its most recent Report and Order in 2002, and stepped up enforcement action. By continuing to hold all stations which broadcast, no matter what their size, the public interest is better served by this common standard, the EAS system is strengthened, and the public is served, no matter where they live or what station they are listening to, LPFM or full power.

While the proponent states the pass through approach will make EAS affordable for LPFM stations to meet part 11 rules, the cost difference expense vs. the current manufacture of an EAS decoder meeting current part 11 requirements is not as great as suggested. While the FCC's initial vision of an LPFM station on the air for under $1000 has not been realized in the real marketplace, the decoders under $1000 has not been realized either at the moment, with one manufacturer making a complete decoder, with receivers for about $1400. There are other manufacturers in the process of design and approval process, and this cost will likely come down. Of course, LPFM stations can also purchase any of the full systems. The cost that has been touted for most reliable LPFM stations has been $10-20,000 to be built. EAS is just a small part of this and should be accounted for in any reasonable operation.

All radio stations from grandfathered Class D FM stations to 100KW class Cs had to purchase the current encoder/decoders that are on the market. This was mandated as decoders were not available for Class D FM stations until recently. In addition, LPFM stations are licensed in most cases at minimal class A levels. I find it troubling to allow LPFM stations a pass through option, when a Class A 100 watt FM station must have the full capabilities, as they are recognized as an important part of EAS infrastructure. At the very least, LP-1 and LP-2 stations should be able to provide the reliable and valuable service that other broadcast stations provide. This is especially important where these stations may be serving rural areas.

I am also concerned at the logging functions that are removed. There is no requirement to log alerts received or passed through, making testing and compliance inspection problematic, at the very least. The recording of an "event" without any other information, does not comply with EAS rules nor confirm EAS activity. A power hit, outage, or some other malfunction could the log of a relay closure under the proposal. In addition, the proposal takes away the control of the local station on what it actually airs, creating the possibility of unauthorized use of the EAS of the LPFM station, selectivity, and authentication of the message. It compromises the built in security methods of the current system.

Lastly, the fact that this proposal is from a vendor, and a single vendor, calls into question issues of appropriateness to the process. Rather than defining a solution, the proposal is trying to sell a product. Other questions involving patents, functionality, and other concerns are not addressed at the present. It is also quite disturbing that the vendor is campaigning for extension of waivers of current FCC rules concerning the FCC to mandate decoders, on various LPFM websites and email lists, to enhance its cause. While there is nothing wrong with lobbying a cause, it is doing so at the potential undermining of the Commissions current EAS rules.

As the manager of a public radio station, and a member of many professional media organizations, including those that advise student media, I see this proposal to modify EAS, as it affects radio, to not serve the public interest, and in fact, has the potential to undermine the current EAS system. I have been recommending to any new station organization to either purchase a fully functioning EAS encoder/decoder or the new approved decoder. A new LPFM in town will be purchasing this new equipment, as they concur with the importance of EAS. With issues such as HD, IBOC, and other technologies on the FCC's agenda, this system does not suggest anything to advance the new technology agenda of the current FCC staff. I strongly encourage the Commission to reject the proposal, especially as it relates to radio.

Sincerely,

Michael Black